

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**LUMINOR CONSULTING CORP.;**  
**DLC ELITE LENDING CORPORATION;**  
**HEARD CONCRETE CONSTRUCTION**  
**CORP.; THOMAS DAVIS; and**  
**KEVIN HARRISON,**

**Plaintiffs,**

**v.**

**DR. ADEL ELMESSIRY and**  
**WEBDBTECH, INC.,**

**Defendants/Counter-plaintiff,**

**v.**

**LUMINOR CONSULTING CORP.,**  
**EMTECH, HEARD CONCRETE**  
**CONSTRUCTION CORP., ANISH PABARI,**  
**ROB ABENANTE, TOM DAVIS, and**  
**JEFFREY HOU YIN HO,**

**Counter-Defendants.**

**Civil Action No. 3:22-cv-00555**

**Judge Eli J. Richardson**

**Magistrate Judge Frensley**

**JURY DEMAND**

**COUNTERCLAIM DEFENDANTS' MOTION TO DISMISS COUNTS III AND IV OF THE  
DEFENDANT WEBDBTECH, INC.'S AMENDED COUNTERCLAIM**

Counterclaim Defendants Luminor Consulting Corporation (“Luminor”), Thomas Davis (“Davis”), Anish Pabari, Jeff Hou Yin Ho, Heard Concrete Construction Corporation (“Heard”), and EMTech, by Davis and Heard (collectively, the “Counter-defendants”), by counsel, in accordance with Federal Rule Civil Procedure 12(b)(6), hereby move this Honorable Court to dismiss Counts III and IV of the Defendant WebDBTech, Inc.’s (“WebDBTech’s”) Amended Counterclaim, (Docket Entry (“D.E.”) 57). Defendants also move to dismiss EMTech from WebDBTech’s claims, as WebDBTech has not alleged sufficient facts to establish alter-ego liability against it. The Counter-defendants incorporate by reference their Memorandum of Law in support of this Motion, filed contemporaneously herewith. Accordingly, the Counter-defendants ask that this Honorable Court enter an Order granting this Motion, thereby dismissing

Counts III and IV of the Amended Counterclaim against all Counter-Defendants as well as all claims asserted against EMTech.

Respectfully submitted,

/s/ Charles H. Williamson

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Corp.; Thomas Davis; Kevin Harrison; Anish Pabari;  
and, Jeff Hou Yin Ho*

**CERTIFICATE OF SERVICE**

I hereby certify that on December 15, 2022, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

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